

PATENT COOPERATION TREATY

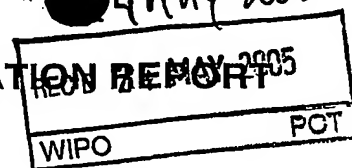
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INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Article 36 and Rule 70)

CORRECTED

VERSION





Applicant's or agent's file reference 45797.WO/ML/kz		FOR FURTHER ACTION See Notification of Transmittal of International Preliminary Examination Report (Form PCT/PEA/416)	
International application No. PCT/GB 03/05199	International filing date (day/month/year) 02.12.2003	Priority date (day/month/year) 02.12.2002	
International Patent Classification (IPC) or both national classification and IPC H01J5/26		Rec'd PCT/PTO 02 JUN 2005 10/537392	
Applicant E2V TECHNOLOGIES (UK) LIMITED et al.			

- This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.
- This REPORT consists of a total of 4 sheets, including this cover sheet.

☒ This report is also accompanied by ANNEXES, i.e. sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).

 These annexes consist of a total of 1 sheets.

- This report contains indications relating to the following items:
 - I ☒ Basis of the opinion
 - II ☐ Priority
 - III ☒ Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
 - IV ☐ Lack of unity of invention
 - V ☐ Reasoned statement under Rule 66.2(a)(ii) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
 - VI ☐ Certain documents cited
 - VII ☐ Certain defects in the international application
 - VIII ☐ Certain observations on the international application

Date of submission of the demand 02.07.2004	Date of completion of this report 20.05.2005
Name and mailing address of the international preliminary examining authority:  European Patent Office D-80298 Munich Tel. +49 89 2399 - 0 Tx: 523656 epmu d Fax: +49 89 2399 - 4465	Authorized Officer Lang, T Telephone No. +49 89 2399-2594 

**INTERNATIONAL PRELIMINARY
EXAMINATION REPORT**

International application No. **PCT/GB 03/05199**

I. Basis of the report

1. With regard to the **elements** of the international application (*Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report since they do not contain amendments (Rules 70.16 and 70.17)*):

Description, Pages

1-6 as originally filed

Claims, Numbers

1-6 received on 23.02.2005 with letter of 21.02.2005

Drawings, Sheets

1/2-2/2 as originally filed

2. With regard to the **language**, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item.

These elements were available or furnished to this Authority in the following language: , which is:

- ☐ the language of a translation furnished for the purposes of the international search (under Rule 23.1(b)).
- ☐ the language of publication of the international application (under Rule 48.3(b)).
- ☐ the language of a translation furnished for the purposes of international preliminary examination (under Rule 55.2 and/or 55.3).

3. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application, the international preliminary examination was carried out on the basis of the sequence listing:

- ☐ contained in the international application in written form.
- ☐ filed together with the international application in computer readable form.
- ☐ furnished subsequently to this Authority in written form.
- ☐ furnished subsequently to this Authority in computer readable form.
- ☐ The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.
- ☐ The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.

4. The amendments have resulted in the cancellation of:

- ☐ the description, pages:
- ☐ the claims, Nos.:
- ☐ the drawings, sheets:

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**INTERNATIONAL PRELIMINARY
EXAMINATION REPORT**

International application No. PCT/GB 03/05199

5. ☐ This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed (Rule 70.2(c)).
- (Any replacement sheet containing such amendments must be referred to under item 1 and annexed to this report.)*

6. Additional observations, if necessary:

III. Non-establishment of opinion with regard to novelty, inventive step and industrial applicability

1. The questions whether the claimed invention appears to be novel, to involve an inventive step (to be non-obvious), or to be industrially applicable have not been examined in respect of:

☒ the entire international application,

☐ claims Nos.

because:

☐ the said international application, or the said claims Nos. relate to the following subject matter which does not require an international preliminary examination (specify):

☒ the description, claims or drawings (*indicate particular elements below*) or said claims Nos. 1-6 are so unclear that no meaningful opinion could be formed (*specify*):

see separate sheet

☐ the claims, or said claims Nos. are so inadequately supported by the description that no meaningful opinion could be formed.

☐ no international search report has been established for the said claims Nos.

2. A meaningful international preliminary examination cannot be carried out due to the failure of the nucleotide and/or amino acid sequence listing to comply with the standard provided for in Annex C of the Administrative Instructions:

☐ the written form has not been furnished or does not comply with the Standard.

☐ the computer readable form has not been furnished or does not comply with the Standard.

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Re Item III

Non-establishment of opinion with regard to novelty, inventive step and industrial applicability

Lack of clarity (Art. 6 PCT)

1) In claim 1, the meaning of "radial axis" is unclear. There is no preferential *radial* direction in the embodiments (e.g. in figure 2) which could be seen as an "axis". The term "axis" implies "a straight line about which a body ... rotates ..", or "a straight line with respect to which a body ... is symmetrical" - see e.g. Webster's 9th New Collegiate Dictionary. There is no such particular radial line in any of the embodiments.

2) In claim 1, the meaning of "a member having a lower coefficient of friction than ..." is unclear: A coefficient of friction is no property of only one member (of a certain material), but only defined between **two** members (of specific materials). It appears that claim 1 cannot be clarified without contravening Art. 34(2)b) PCT.

3) Because of items 1-2 above, claim 1 and claims 2-6 which depend on claim 1 do not comply with the provisions of Art. 6 PCT to such an extent that no International Preliminary Examination as to the requirements of Article 33 PCT can be carried out. It is however noted that an applicant cannot rely on unclear terms to distinguish the claimed invention from the prior art (PCT-Guidelines, 5.33, last phrase).

CLAIMS

1. An electron beam tube of the type having a longitudinal axis and a radial axis and comprising a wall, a balance ring and a mounting component, the wall forming part of a vacuum envelope and being coupled to the mounting component by the balance ring in the direction of the longitudinal axis, the electron beam tube further comprising a member having a lower coefficient of friction than the balance ring and mounting component interposed between the balance ring and the mounting component to allow relative sliding movement of the balance ring and the mounting component in a direction parallel to the radial axis.
2. An electron beam tube according to claim 1, wherein the balance ring is of ceramic..
3. An electron beam tube according to claim 1, wherein the mounting component is a mounting plate.
4. An electron beam tube according to claim 3, wherein the mounting plate is of copper, stainless steel or nickel.
5. An electron beam tube according to claim 1, wherein the member is coated with friction-reducing material.
6. An electron beam tube according to claim 1, wherein the member comprises a layer of friction reducing material.

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